

**CONFIDENTIAL**

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OGC 70-1615

18 September 1970

MEMORANDUM FOR THE RECORD

SUBJECT: S. 782 Study Group

REFERENCE: DDS 70-2466, dated 22 June 1970, Subj.:  
Possible Implementing Action to S. 782

1. The 782 Study Group held its second session on  
2 September.

2. Present were Messrs. [REDACTED]

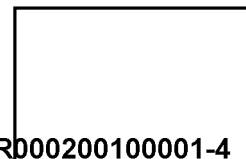
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3. On the basis of information provided by OLC, the group  
was briefed on the posture of S. 782 before the Henderson Sub-  
committee and also on the views set out in the correspondence of  
Messrs. Mahon and Rivers with Mr. Henderson.

4. A general discussion was undertaken as to the best means  
of meeting the initial set of requirements as contained in the referent  
memorandum.

5. It was noted that the current PHS form, while not requiring  
information regarding race or religion, does seek national origin data.  
The suggestion was made that this Agency requirement could be  
justified on the basis of the 5-year citizenship rule applicable to  
staff appointments and also the investigative procedures set out in  
EO 10450. In this connection, the possibility of invoking the exemption  
provided for activities or undertakings related to national security

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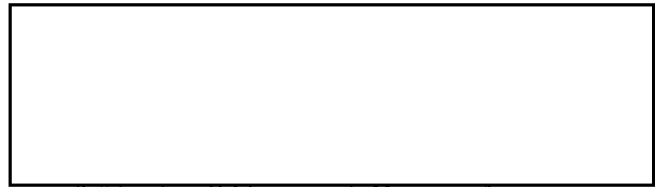
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within the United States or activities or undertakings conducted outside the United States was explored. It was suggested that a legal argument could be made to demonstrate the necessity or advisability of placing all Agency positions within one of <sup>three</sup> ~~three~~ exemptions. The rationale would include the Agency's national security duties as set out by law and its policy that personnel must be available for assignment anywhere.

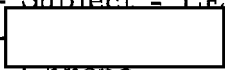


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Assistant General Counsel

OGC:RJB:bg

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